

HOUSE BILL 2451

By Swafford

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 4; Title 55, Chapter 6 and Title 68, Chapter 201, relative to emissions testing of certain commercial vehicles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-4-101(d), is amended by adding the following language as a new subdivision:

(3)

(A) The commissioner shall not issue a registration for a heavy-duty motor vehicle, except in accordance with the terms and conditions of a heavy-duty motor vehicle inspection and maintenance program as established by rule of the air pollution control board in order to attain or maintain compliance with national ambient air quality standards.

(B) As used in this chapter, unless the context otherwise requires, "heavy-duty motor vehicle" means any motor vehicle having a combined manufacturer gross vehicle weight rating (GVWR) to be carried thereon in excess of ten thousand five hundred pounds (10,500 lbs).

SECTION 2. Tennessee Code Annotated, Section 55-4-104(d), is amended by adding the following language as a new subdivision:

(3) The commissioner shall not issue a registration renewal for a heavy-duty motor vehicle, except in accordance with the terms and conditions of a heavy-duty motor vehicle inspection and maintenance program as established by rule of the air pollution control board in order to attain or maintain compliance with national ambient air quality standards.

SECTION 3. Tennessee Code Annotated, Section 55-4-130, is amended by adding the following language as new subsection (b) and by redesignating the present language accordingly:

(b) Sections 55-4-101(d)(3), 55-4-104(d)(3) and 55-6-105(a)(10) shall apply to heavy-duty motor vehicles in accordance with the terms and conditions of a heavy-duty motor vehicle inspection and maintenance program as established by rule of the air pollution control board.

SECTION 4. Tennessee Code Annotated, Section 55-6-105(a), is amended by adding the following subdivision:

(10) A county clerk shall not issue a registration for a heavy duty motor vehicle, except in accordance with the terms and conditions of a heavy-duty motor vehicle inspection and maintenance program as established by rule of the air pollution control board in order to attain or maintain compliance with national ambient air quality standards.

SECTION 5. The Tennessee air pollution control board shall promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 6. Section 5 of this act shall take effect upon becoming a law, the public welfare requiring it. All remaining provisions of this act shall take effect January 1, 2009, the public welfare requiring it.